

## REMARKS

Applicant respectfully requests reconsideration in view of the above amendment and the following remarks.

In response to the rejection of claims 1-4 under 35 USC 101 for allegedly not being tied to an apparatus, claim 1 has been amended.

In response to the rejection of claim 5 under 35 USC 101 for allegedly being directed toward software which is allegedly non-statutory subject matter, applicant traverses this rejection. More specifically, the claim is directed toward an authoring system comprising "storage means". "storage means" is statutory subject matter.

In response to the rejection of claims 6-9 under 35 USC 101 for allegedly being directed toward a signal which is allegedly non-statutory subject matter, applicant traverses the rejection. Claim 6 claims a "record carrier" which is hardware and is patentable subject matter. Claim 7 has been amended to claim patentable subject matter, specifically a physical media encoded with a signal. Claim 8 claims "a data carrier" which is statutory subject matter.

In response to the rejection of claim 10 under 35 USC 103(a), as being unpatentable over the combination of US pub. app. 2001/0038746 to Hughes and US5966352 to Sawabe, the applicant traverses this rejection. More specifically the examiner has not given any reason why its obvious to combine these citations. As described on page 2 of the specification the invention including use of pointers allows the limitation of "the upper limit of 10,8Mbps (defined in table 5-2 of the DVD specifications) cannot be exceeded." to be exceeded.

Applicant believes that this application is in condition for allowance and respectfully requests that all claims be allowed.

Please charge any fee deficiencies and credit any  
overpayments to Deposit Account No. 14-1270.

Respectfully submitted,

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